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 11 MILLIGAN, NICHOLAS G. MOORE, PHILIP J.  
 QUIGLEY, JUDITH M. RUNSTAD, STEPHEN W.  
 12 SANGER and SUSAN G. SWENSON

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION

16 PIRELLI ARMSTRONG TIRE  
 CORPORATION RETIREE MEDICAL  
 17 BENEFITS TRUST, Derivatively on Behalf of  
 WELLS FARGO COMPANY,

18 Plaintiff,

19 v.

20 JOHN G. STUMPF, HOWARD I. ATKINS,  
 JOHN D. BAKER II, JOHN S. CHEN, LLOYD  
 21 H. DEAN, SUSAN E. ENGEL, ENRIQUE  
 HERNANDEZ, JR., DONALD M. JAMES,  
 22 RICHARD D. McCORMICK, MACKEY J.  
 McDONALD, CYNTHIA H. MILLIGAN,  
 23 NICHOLAS G. MOORE, PHILIP J. QUIGLEY,  
 JUDITH M. RUNSTAD, STEPHEN W.  
 24 SANGER and SUSAN G. SWENSON,

25 Defendants,

26 and

27 WELLS FARGO & COMPANY, a Delaware  
 corporation,

28 Nominal Defendant.

No. CV 11 2369 SI

Action Filed: May 13, 2011

STIPULATION AND ~~PROPOSED~~  
 ORDER SETTING BRIEFING AND  
 HEARING SCHEDULE FOR  
 INDIVIDUAL DEFENDANTS'  
 MOTION TO DISMISS AND  
 CONTINUING CASE MANAGEMENT  
 CONFERENCE

1 Defendants John G. Stumpf, Howard I. Atkins, John D. Baker II, John S. Chen,  
 2 Lloyd H. Dean, Susan E. Engel, Enrique Hernandez, Jr., Donald M. James, Richard D.  
 3 McCormick, Mackey J. McDonald, Cynthia H. Milligan, Nicholas G. Moore, Philip J.  
 4 Quigley, Judith M. Runstad, Stephen W. Sanger and Susan G. Swenson (collectively,  
 5 "Individual Defendants"), and plaintiffs Pirelli Armstrong Tire Corporation Retiree Medical  
 6 Benefits Trust and City of Westland Police and Fire Retirement System (collectively,  
 7 "Plaintiffs") hereby stipulate to the following:

8 WHEREAS, on August 3, 2011, the Court granted the unopposed motions to  
 9 consolidate the related actions, appointed Robbins, Geller, Rudman & Dowd LLP and  
 10 Barrett Johnston, LLC as Plaintiffs' co-lead counsel and ordered Plaintiffs to file a master  
 11 complaint for the consolidated cases by August 19, 2011;

12 WHEREAS, on August 25, 2011, the Court granted the parties' stipulation and  
 13 proposed order setting September 12, 2011 as the new filing deadline for the master  
 14 complaint for the consolidated cases;

15 WHEREAS, on September 12, 2011, Plaintiffs filed a "Verified Consolidated  
 16 Shareholder Derivative Complaint For Breach of Fiduciary Duty, Abuse of Control, Gross  
 17 Mismanagement and Corporate Waste" (the "Consolidated Complaint");

18 WHEREAS, the Individual Defendants (except for a new defendant, Howard I. Atkins,  
 19 who accepts service of the Consolidated Complaint by entering into this stipulation) have  
 20 until September 29, 2011 to respond to the Consolidated Complaint and all of the Individual  
 21 Defendants intend to respond by filing a motion to dismiss the Consolidated Complaint  
 22 ("Motion to Dismiss");

23 WHEREAS, the parties, through their counsel, have agreed to a briefing and hearing  
 24 schedule for Individual Defendants' Motion to Dismiss and believe that the current Case  
 25 Management Conference scheduled for September 30, 2011 should be continued until after  
 26 the hearing on the Motion to Dismiss;

27 NOW THEREFORE, the undersigned parties, by and through their counsel of record,  
 28 stipulate as follows subject to the approval of the Court:

1           1. Individual Defendants shall have until October 5, 2011 to file their response to  
 2 the Consolidated Complaint which will be the Motion to Dismiss; Plaintiffs shall file their  
 3 opposition brief by November 4, 2011; and Individual Defendants shall file their reply brief  
 4 by November 18, 2011.

5           2. The Motion to Dismiss shall be scheduled for hearing on December <sup>9</sup>~~2~~, 2011, at  
 6 9:00 a.m. or at such other time as the Court shall order.

7           3. The Case Management Conference currently scheduled for September 30, 2011,  
 8 at 2:30 p.m., shall be continued to December <sup>9</sup>~~2~~, 2011, immediately following the hearing on  
 9 the Motion to Dismiss.

10           IT IS SO STIPULATED.

11           September 26, 2011.

GILBERT R. SEROTA  
 SARAH A. GOOD  
 MARC PRICE WOLF  
 HOWARD RICE NEMEROVSKI CANADY FALK &  
 RABKIN  
 A Professional Corporation

By:                     /s/ Sarah A. Good                      
 SARAH A GOOD

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 NICHOLAS G. MOORE, PHILIP J. QUIGLEY,  
 JUDITH M. RUNSTAD, STEVEN W. SANGER and  
 SUSAN G. SWENSON

21           September 26, 2011.

ROBBINS GELLER RUDMAN & DOWD LLP  
 SHAWN A. WILLIAMS

By:                     /s/ Shawn A. Williams                      
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Co-Lead Counsel for Plaintiffs

I, Sarah Good, am the ECF User whose ID and password are being used to file this  
Stipulation and [Proposed] Order Setting Briefing Schedule For Individual Defendants'  
Motion to Dismiss and Continuing Case Management Conference. In compliance with  
General Order 45, X.B., I hereby attest that Shawn Williams has concurred in this filing.

*/s/ Sarah A. Good*

SARAH A. GOOD

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 9/27/11



THE HONORABLE SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE